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Virgil Graves Sr., and Corey Graves
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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
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12 VIRGIL GRAVES, Jr., VIRGIL
13 GRAVES, SR., and COREY
GRAVES,

14 Plaintiffs,

15 v.

16 CITY OF STOCKTON, et al.,

17 Defendants.
18

Case No. CIV S-04-0430 DFL KJM

STIPULATION TO DISMISS WITH
PREJUDICE DEFENDANTS
STOCKTON POLICE DEPARTMENT,
MARK W. HERDER, BRIAN FRY,
ROBERT WONG, TAMMIE
MURRELL, SCOTT GRAVIETTE,
ANTHONY RESTUCCIA AND JAMES
RIDENOUR; ORDER

(Fed. R. Civ. P. 41(a)(1))

19 **HEARING ON SUMMARY
JUDGMENT MOTION:**

20 Date: February 1, 2006
21 Time: 10:00 a.m.
Place: Courtroom 7
22

23 **STIPULATION TO DISMISS**
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26 IT IS HEREBY STIPULATED by and among the parties hereto, by and through
27 their respective counsel of record, that this matter may be dismissed in its entirety with
28 prejudice, pursuant to Fed. R. Civ. P. 41(a)(1), against Defendants Stockton Police

1 Department, Mark W. Herder, Brian Fry, Robert Wong, Tammie Murrell, Scott
2 Graviette, Anthony Restuccia, and James Ridenour. All parties waive any right to seek
3 costs and attorneys' fees.

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5 THE LAW OFFICES OF JOHN BURTON

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7 By /S/
John Burton
8 Attorneys for Plaintiffs

DATED: January 13, 2006

9
10 RICHARD E. NOSKY, JR.
CITY ATTORNEY

11

12 By /S/
Shelley L. Green
13 Attorneys for Defendants

DATED: January 1, 2006

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15 **ORDER**

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17 IT IS SO ORDERED.

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19 DATED: 1/20/2006

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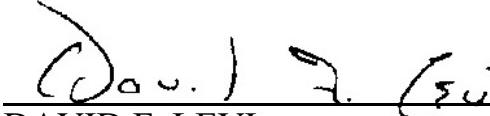
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DAVID F. LEVI
United States District Judge